

**SUPREME COURT MINUTES  
FRIDAY, NOVEMBER 19, 1999  
SAN FRANCISCO, CALIFORNIA**

- S080174      Stephen Boysaw, Petitioner  
                 v.  
                 Los Angeles County Superior Court, Respondent  
                 People, Real Party in Interest  
                 Good cause appearing, it is ordered that the time to issue, serve  
                 and file the writ specified in this court's order granting review, filed  
                 September 15, 1999, is extended to and including December 3, 1999.  
                 No further extensions of time will be considered.
- 2nd Dist.      People, Respondent  
B127322      v.  
Div. 3      Herchell Owens, Appellant  
                 The time for granting or denying review on the court's own  
                 motion is hereby extended to and including January 4, 2000, or the  
                 date upon which review is either granted or denied. Rule 28(a)(1),  
                 California Rules of Court.
- S077916      In re the Marriage of Michael A. and Elissa M. Congdon  
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                 Michael A. Congdon, Appellant  
                 v.  
                 Elissa M. Congdon, Respondent  
                 On application of respondent and good cause appearing, it is  
                 ordered that the time to serve and file the answer brief on the merits  
                 is extended to and including December 20, 1999.
- S083705      Darnell Holyfield, Petitioner  
                 v.  
                 Department of Corrections, Respondent  
                 People, Real Party in Interest  
                 The above-entitled matter is transferred to the Court of Appeal,  
                 Fifth Appellate District, for consideration in light of *Hagan v.*  
                 *Superior Court* (1962) 57 Cal.2d 767. In the event the Court of  
                 Appeal determines that this petition is substantially identical to a  
                 prior petition, the repetitious petition shall be denied.

S081555      In the Matter of the Suspension of Attorneys  
For Nonpayment of Dues

Due to clerical error on the part of the State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on September 10, 1999, effective September 27, 1999, be amended *nunc pro tunc* to strike the names of **Gregory A. Cole, William George Lockwood, Hal Venson Thompson,** and Eugene **Charles Pace.**

S067341      In re **Jeffrey John Wiebe** on Discipline

Good cause having been shown, it is hereby ordered that the probation previously ordered in S067341 (State Bar Court Case No. 95-0-13547) be extended for a period of one year. **Jeffrey John Wiebe, State Bar No. 147834,** is also ordered to comply with the conditions of probation as recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on September 2, 1999. Costs are awarded to the State Bar and shall be added to and become part of the membership fee for the next calendar year. (Bus. & Prof. Code section 6140.7.)

S081971      In re **Martin Wolff** on Discipline

It is hereby ordered that **Martin Wolff, State Bar No. 73211,** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar.

\*(See Business & Professions Code, § 6126, subd. (c).)

S081973      In re **Carol Lynn Martin** on Discipline

It is ordered that **Carol Lynn Martin, State Bar No. 157177,** be suspended from the practice of law for two years, that execution of suspension be stayed, and that she be placed on probation for three years subject to the conditions of probation, including one year actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed July 27, 1999. Credit towards the period of actual suspension shall be given for the period of interim suspension which commenced on December 5, 1998. If the period of actual suspension is two years or

greater, she shall remain suspended until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is also ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of her actual suspension, whichever is greater. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

S081984 In re **Thomas H. Mahoney** on Discipline

It is ordered that **Thomas H. Mahoney, State Bar no. 44287**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed July 9, 1999. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S081985 In re **Luis Rene Valdez** on Discipline

It is ordered that **Luis Rene Valdez, State Bar No. 153865**, be suspended from the practice of law for 60 days, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed July 20, 1999, as modified by its order filed July 30, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and shall be added to and become part of the membership fee for the next calendar year. (Bus. & Prof. Code section 6140.7.)

S081986 In re **Kevin Christopher McDonough** on Discipline

It is ordered that **Kevin Christopher McDonough, State Bar no. 99944**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his

rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed July 20, 1999. If the period of actual suspension reaches or exceeds two years, he shall remain actually suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S081987      In re **Jose Angel Rodriguez** on Discipline

It is ordered that **Jose Angel Rodriguez**, State Bar No. 62551, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed August 5, 1999. Costs are awarded to the State Bar and shall be added to and become part of the membership fee for the next calendar year. (Bus. & Prof. Code section 6140.7.)

S082042      In re **Franklin Feigenbaum,**  
**aka Franklin Harvey Feigenbaum** on Discipline

It is ordered that **Franklin Feigenbaum, aka Franklin Harvey Feigenbaum**, State Bar No. 134403, be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed July 28, 1999. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the

effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

\*(See Business & Professions Code, § 6126, subd. (c).)

S082044 In re **Duane D’Roy Dade** on Discipline

It is ordered that **Duane D’Roy Dade**, State Bar No. 140379, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years, on condition that he be actually suspended for 60 days. He is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed August 11, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is greater. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

S082045 In re **Kathryn Raffee Buffington** on Discipline

It is ordered that **Kathryn Raffee Buffington**, State Bar No. 82565, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for one year on condition that she be actually suspended for 30 days. She is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed August 2, 1999, as modified by its order filed August 19, 1999. Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

S083351 In re **Malik Ali Muhammad** on Discipline

It is ordered that **Malik Ali Muhammad, State Bar no. 74824**, be actually suspended from the practice of law for a period of 30 days as recommended by the Hearing Department of the State Bar Court in its decision filed August 26, 1999. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with Business and Professions Code section 6140.7.

S083544 In the Matter of the Resignation of **Cyrus Alan Cox**  
A Member of the State Bar of California

The voluntary resignation of **Cyrus Alan Cox, #146017** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)